

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

DEMOCRATIC PARTY OF HAWAII,) CIVIL NO. _____
Plaintiff,)
vs.) DECLARATION OF DANTE
SCOTT T. NAGO, in his official) K. CARPENTER
capacity as Chief Election)
Officer of the State of Hawai'i,)
Defendant.)

)

DECLARATION OF DANTE K. CARPENTER

DANTE K. CARPENTER, being first duly sworn on oath, deposes and says:

1. I am the Chairperson of the Democratic Party of Hawai'i ("DPH"). DPH is qualified as a political party to participate in primary elections under Hawai'i law.
2. My office is the chief executive office of the DPH. My office

EXHIBIT 

has care, custody, and control of the official documents of the DPH.

3. The supreme governing document of the DPH is the Constitution of the Democratic Party of Hawai`i.
4. Article I, Section 1, of the Constitution of the Democratic Party of Hawai`i, as Amended, and as Certified by the State Central Committee on July 28, 2012, provides as follows:

Section 1. General.

The Democratic Party of Hawai`i shall be open to all persons who desire to support the Party, who wish to be known as Democrats, and who live in Hawai`i.

The Democratic Party of Hawai`i believes that its primary election, a state-imposed mandatory nomination procedure, ought to be open to participation of only such persons as are willing to declare their affiliation with and support for the Party, either through public registration to vote, or through maintenance of membership in the Party. The Party further believes that the current Constitution and laws of the State of Hawai`i, by maintaining secrecy of affiliation, and by compelling the Party to admit to its nomination procedures those who may have no interest in, or actually oppose the interests, values, and platform of the Party, do violence to the Party's associational freedoms and the individual freedoms of its membership to define

their own political views, guaranteed under the Constitution of the United States. The State Central Committee and Party Chairperson shall take appropriate action to correct this injustice.

The second paragraph of Article I, Section I, was adopted by Convention of the DPH on May 27, 2006. This language continues in effect.

5. DPH brings the instant suit pursuant to the foregoing authority.
6. Upon information and belief, Scott T. Nago is the current Chief Elections Officer of the State of Hawaii. (<http://hawaii.gov/elections/factsheets/fsvs502.pdf>).

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed: Honolulu, Hawai'i, June 14, 2013.



Dante K. Carpenter